

REMARKS

This Amendment is being filed in response to the Final Office Action mailed April 30, 2007, which has been reviewed and carefully considered. Entry of the present amendment and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, independent claim 1 has been amended for better clarity and to include the features of claim 2, which has been canceled without prejudice. Accordingly, no new issues requiring a new search have been introduced and thus entry of the present amendment is respectfully requested.

In the Final Office Action, claims 1-5 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,433,355 (Riess). Claims 1-5 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,399,936 (Namiki). Further, claims 1-5 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,986,391 (Feldman). Claims 1-5 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 6,133,581 (Terao). Claims 1-5 are

again rejected under 35 U.S.C. §102(b) as allegedly anticipated by EP 0 888 035 (Hosokawa). It is respectfully submitted that Claims 1, 3, and 5 are patentable over Riess, Namiki, Feldman, Terao and Hosokawa for at least the following reasons.

Throughout the Final Office Action, it is alleged that "the manner in which the claim is written does not limit which surface of the substrate is an "upper" surface... Therefore, the upper surface of the substrate can be a surface with no metal structure formed thereon, and hence this upper surface is less than 10% (or "up to 10%") covered since it is 0% covered." (Final Office Action, the paragraph spanning pages 2-3)

As correctly noted by the Examiner, independent claim 1 does not particularly recite the location of the surface of the substrate. However, it is respectfully pointed out that independent claim 1 specifically requires:

a metallic structure (5) incorporated into the substrate. (Illustrative emphasis added)

That is, independent claim 1 specifically requires a metallic structure incorporated into the substrate.

Further, independent claim 1 specifically defines the relationship of the metallic structure with the first electrode

(2), namely, "wherein the metallic structure (5) is in electrical contact with the first electrode (2)."

Independent claim 1 further requires:

that the metallic structure (5) covers not more than 10% of the surface of the substrate.  
(Illustrative emphasis added)

That is, independent claim 1 specifically requires a metallic structure, and thus it cannot be said that there is 0% metallic structure, as that would mean there is NO metallic structure, which is required and specifically recited by independent claim 1 to be incorporated into the substrate.

In addition to requiring the existence of a metallic structure incorporated into the substrate, that is having something other than 0% metallic structure incorporated into the substrate, independent claim 1 further requires that the metallic structure incorporated into the substrate covers "not more than 10% of the surface of the substrate."

Assuming, arguendo, that the dimensions of Terao recited on page 10, item 9 of the Final Office Action, teach substrate coverage of not more than 10%, it is respectfully submitted that Terao discloses an anode or metal strips 2a, 2b that are formed ON

a substrate 1, as shown in FIGs 1-6. A metallic structure incorporated into the substrate, as required by independent claim 1, is nowhere taught or suggested in Terao.

Namiki and Feldman are similar to Terao in that they do not teach or suggest A metallic structure incorporated into the substrate, as required by independent claim 1.

In particular, Namiki is directed to an organic electroluminescent device that includes an emitting layer 3 formed between a cathode 1 and a transparent anode 2. As shown in FIGs 6A-6E, the anode 2 is formed ON the substrate 6. Metal film lines 7, 7a are formed ON the substrate 6 and/or the anode 2.

Further, Feldman is directed to a display where an electrode 2 is deposited on a substrate 1 and formed with apertures on its top surface that permits opaque electrodes 3, 4, formed on the transparent electrode 2, to dip down and make contact with the substrate 1. The opaque electrode 3, 4 lower the electrical resistance of the transparent electrode 2. As clearly shown in FIGs 1-2, the opaque electrodes 3, 4, are formed ON the substrate 1 and/or the transparent electrode 2.

Riess teaches metal electrodes 131.1 (FIG 16) in a substrate

130, and Hosokawa teaches a wiring layer 5 which may be implanted in the substrate 1. However, Riess and Hosokawa do not teach or suggest that a metallic structure covers not more than 10% of the surface of the substrate, as required by independent claim 1.

It is respectfully submitted that Riess, Namiki, Feldman, Terao and Hosokawa, alone or in combination, do not teach or suggest the present invention as recited in independent claim 1 which, amongst other patentable elements, requires (illustrative emphasis provided):

a metallic structure (5) incorporated into the substrate... characterized in that the metallic structure (5) covers not more than 10% of the surface of the substrate.

A metallic structure incorporated into a substrate that covers not more than 10% of the surface of the substrate is nowhere taught or suggested in Riess, Namiki, Feldman, Terao and Hosokawa, and combination thereof. Further, it is respectfully submitted that the present invention as recited in independent claim 1, is not apparent to one skilled in art at the time of filing the present application in view of Riess, Namiki, Feldman, Terao and Hosokawa. There is simply no motivation in the prior art for one skilled in the art to incorporate a metallic structure into a substrate where

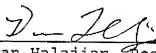
the metallic structure covers not more than 10% of the surface of the substrate, as required by independent claim 1. Rather, the prior art teaches having more metallic structure to further decrease the electrical resistance of a transparent electrode, thus teaching away from having a metallic structure that only covers up to not more than 10% of the surface of the substrate, as required by independent claim 1.

Accordingly, it is respectfully submitted that independent claim 1 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 3 and 5 should also be allowed at least based on their dependence from amended independent claim 1.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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June 8, 2007

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